

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DONALD R. CONKLIN IV,  
Plaintiff

v.

JOHN DOE, *et al.*,  
Defendants

: No. 3:24-CV-0189  
:  
: (Judge Munley)  
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:  
:  
:  
:

ORDER

AND NOW, in accordance with the accompanying Memorandum, IT IS

ORDERED THAT:

1. Plaintiff's Section 1983 Fourteenth Amendment claim alleging unconstitutional conditions of confinement is **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915A(b)(1) and 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted.
2. Plaintiff's Section 1983 Fourteenth Amendment claim alleging a procedural due process violation is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1) and 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted.
3. Plaintiff, if he so desires, may file an amended complaint in conformity with the accompanying Memorandum within **21 days** of the date of this Order. If an amended complaint is not timely filed, dismissal will automatically convert to dismissal with prejudice and the court will CLOSE this case.

4. Plaintiff's motion for appointment of counsel (Doc. 9) is **DISMISSED** as moot and without prejudice in light of paragraphs 1 through 3 above.

Date: 8/22/24

BY THE COURT:

  
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**JUDGE JULIA K. MUNLEY**  
**United States District Court**